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PCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

TORRANCE

Atty. Ref.: 501-22

Serial No. 10/511,429

Group: Not Yet Assigned

Filed: October 15, 2004

Examiner: Not Yet Assigned

For: **CABLE ORGANIZER CABINET**

* * * * *

November 17, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.97, the undersigned attorney brings to the attention of the Patent and Trademark Office the references listed on the attached form PTO-1449. The Examiner is requested to initial the attached form PTO-1449 and to return a copy of the initialed document to the undersigned as an indication that the cited references have been considered and made of record. A copy of each reference is enclosed for the Examiner's convenience, with the exception of the U.S. references, which are not required since this application was filed after June 30, 2003. Also enclosed are copies of the International Search Report and written opinion corresponding to International Patent Application No. PCT/CA2004/000552 and an Office Action in the Canadian application corresponding to the U.S. patent application. The enclosed references were cited in the enclosed International Search Report.

Submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made, or that no better references exist, or that any submitted reference is material merely because it has been cited herein. If there are any questions regarding this submission, the Examiner is urged to call the undersigned at the telephone number listed below.

It is believed that no fee for filing this Information Disclosure Statement is due. However, the Commissioner is hereby authorized to charge any deficiency in the fee that may be due to the deposit account of Nixon & Vanderhye, Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Atty. Docket No.

501-22

Applicant

Torrance

Filing Date

October 15, 2004

Serial No.

1.429

TC/A.U.

Not Yet Assigned



U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	i.e., 12/1999 DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		4,718,741 A	01/1988	Nichoalds			
		5,286,919	02/1994	Benson et al.			
		5,130,494 A	07/1992	Grant et al.			
		5,429,431 A	07/1995	Schmidt et al.			
		5,686,700	11/1997	Carpinella			
		6,017,228	01/2000	Verbeek et al.			
		6,209,974	04/2001	Goto et al.			
		6,241,329 B1	06/2001	Nielsen			
		6,359,217	03/2002	Thompson et al.			
		6,415,723	07/2002	Kopish et al.			
		2002/020329	02/2002	Kowalski			

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

[illegible]

*Examiner		Date Considered	
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.



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June 29, 2004

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Application No. : **2,456,268**
Owner : TORRANCE, EDWARD
Title : **CABLE ORGANIZER CABINET**
Classification : A47B-81/00
Your File No. : **7317-001C**
Examiner : Jean-François Dufour Jr. Eng.

YOU ARE HEREBY NOTIFIED OF :

- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*;
- A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SECTION 29 OF THE *PATENT RULES*.

IN ORDER TO AVOID **MULTIPLE ABANDONMENTS** UNDER PARAGRAPH 73(1)(A) OF THE *PATENT ACT*, A WRITTEN REPLY TO **EACH REQUISITION** MUST BE RECEIVED WITHIN **6** MONTHS AFTER THE ABOVE DATE.

This application has been examined as originally filed.

The number of claims in this application is 15.

A search of the prior art has revealed the following:

References Applied:

United States Patents

6,017,228	January 25, 2000	Int. Cl. ⁷ H01R 13/44	Verbeek et al.
5,686,700	November 11, 1997	Int. Cl. ⁶ H02G 3/18	Carpinella

Verbeek et al. disclose a cabinet comprising a base, a rear panel, a top panel, oppositely arranged side panels, a front panel and power supply means located inside the cabinet; the front panel comprising a door; the top panel comprising a planar surface having an opening; the door comprising one panel hinged on one side; the power supply means comprising two ports to receive male end plugs.

Carpinella discloses an adjustable cable management grommet for routing cables through an opening on a surface.

The examiner has identified the following defects in the application:

Claims 1, 2, 4 to 11 and 13 to 15 do not comply with Section 28.3 of the *Patent Act*. The subject matter of these claims would have been obvious on the claim date to a person skilled in the art or science to which they pertain having regard to Verbeek et al. in view of Carpinella or common knowledge. Regarding claims 1 and 10, it would have been obvious for a person skilled in the art of cabinets to further provide openings on the side panels or to attach the cabinet to a desk since no new, useful and unexpected mode of operation or function results. Regarding claims 5 and 14, it is obvious to merely change the form or proportion of a machine or manufacture, unless a new unexpected mode of operation or function results. Regarding claims 7 and 8, it is obvious to substitute the material of which a machine or manufacture is made unless a new, useful and unexpected use results. Regarding claim 9, no new structures or new way of cooperation between new structures or known structures, producing new and unexpected results, is disclosed. It is held that a person skilled in the art of cabinets adapted to organize electrical cables would have thought of combining the structures of the cabinet disclosed by Verbeek et al. with the structures of the adjustable cable management grommet disclosed by Carpinella or the herein mentioned obvious improvements and to make them cooperate together to form a cabinet adapted to organize electrical cables as defined in claims 1, 2, 4 to 11 and 13 to 15, on the claim date. Therefore, the subject matter of claims 1, 2, 4 to 11 and 13 to 15 is considered obvious having regard to Verbeek et al. in view of Carpinella or common knowledge.

Claims 3 and 12 do not comply with Section 84 of the Patent Rules because the claimed characteristic "adapted to slide parallel to said front panel when placed in an open or closed position", is not described in the description.

This application does not comply with Subsection 27(4) of the Patent Act. In claims 1 and 10, the inclusion of "adapted such that" causes lack of clarity. In claims 1, 3, 6, 7, 10, 12 and 15, the use of the expressions "adapted to", "arranged to" or "similar to" brings indefiniteness as it attempts to give both broad and narrow meaning to the scope of the claims.

Under Subsection 81(3) of the Patent Rules, applicant must fully identify the document referred to on page 1, lines 16 and 21, page 2, lines 4, 10 and 16 and page 3, lines 1 and 6. A document so referred to should be identified at least by country, number and date for a published patent document, or by title, author, date, and source for non-patent documents.

Regarding description page 1, line 21, Canadian Patent 430,039 is not entitled "Cable Manager" but "Tilttable Dynamometer". Canadian Patent 1,206,578 is entitled "Cable Manager". Regarding description page 2, line 10, Canadian Patent 485,971 does not disclose a cabinet for electronic apparatus. Canadian Patent 485,971 disclose a pulse producing apparatus. The description should be amended.

In view of the foregoing defects, the applicant is requisitioned, under Subsection 30(2) of the Patent Rules, to amend the application in order to comply with the Patent Act and the Patent Rules or to provide arguments as to why the application does comply.

Under Section 29 of the *Patent Rules*, applicant is requisitioned to provide an identification of any prior art cited in respect of any application(s) describing the same invention on behalf of the applicant, or on behalf of any other person claiming under an inventor named in the present application, and the patent number, if granted. Amendment to avoid references cited abroad may expedite the prosecution. In accordance with Subsection 29(3) of the *Patent Rules*, if the particulars are not available to the applicant, the reason why must be stated.

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